MYSORE LEGISLATIVE ASSEMBLY

Thursday, 4th May 1967.

The House met in the Assembly Chamber, Vidhana Soudha Bangalore, at One of the Clock.

MR. SPEAKER [SRI B. VAIKUNTA BALIGA, B.A., B.L.] in the Chair.

STATEMENT OF THE SPEAKER

Circulation to Members.

MR. SPEAKER.—I am sorry my voice has not regained its original tempo. I want to make a brief statement. Copies will be circulated. After the circulation of the copies is over, I will read it.

Statement of the Speaker ;

Enforced rest in bed has enabled me to think over the situation that has arisen in the Legislative Assembly and which continues in the shape of a deadlock. It may not be an appropriate phrase. I feel quite unhappy about it. It is my added misfortune that my health and voice have failed me at a critical juncture. I do not wish to apportion blame among the various constituents of the Assembly but one thing is clear. Collectively the Legislature, the Speaker, the members of the Assembly on either side, *i.e.*, ruling party and the opposition party do not get presented themselves in the most commendable fashion.

Legislatures are convened to transact business. This has to be carried on in accordance with the rules, conventions and other requirements which are well established. Needless over-emphasis on individual viewpoints may be good for winning a point but carried beyond a certain limit, persistency of deadlock, leads to the parliamentary obstruction. Obstruction is different from opposition. Opposition to policies, schemes, and matters brought before the Legislature are liable to be opposed and criticised severely and with all the vehemence but obstruction is not good. Obstruction within the framework of rules may be permitted. But when obstruction goes beyond these limits and tends to paralyse the working of the Legislature it amounts to an attack on democracy and just principles of democracy. No person however great and however sincere in his opinion, is entitled to destroy democracy. Any business carried on can be delayed, prevented or voted down only within the ambit of the rules. Any attempt beyond that cannot be countenanced or permitted on the floor of the House.

(Mr. SPEAKER)

No party or individual has got a right to say that they will not permit transaction of the business. This is entirely unconstitutional. Rights and privileges given to members attract to them certain protection with regard to their say or right to debate on the floor of the House but as Bentham pointed out long time back when the limits of assertion are exceeded, it amounts to not an attack on the government but to an attack on democracy; when that stage is reached the rights and privileges guaranteed under the Constitution are not available because they go to the root of the matter and will be against the Constitution and trying to destory the Constitution. Likewise an attack on the floor of the house in open and flagrant violation of the rules goes to the root of the matter in the working of the Legislature. He who offends like that forfeits his right of protection or right to speak in the House.

So far as Question Hour is concerned there cannot possibly be any obstruction. Any representation, any discussion that is to take place on other matters has to begin after the question hour is over. Question Hour is the privilege of the Oppostion primarily and perhaps equally of the other members be they of the ruling party or otherwise. In reality it is a control against the vagaries and improprieties of the Council of Ministers or the Executive Government. By denying to the House and the members the Question Hour, in effect, those members who are obstructing are shielding the government and aiding and abetting in the prevention of the exposure of the faults of the government. I have no doubt that it is not the intention of those members. If on the other hand it is their intention, it amounts to a very serious invasion of the rights of the House and the Members. The duty of the Speaker is clear, explicit and imperative. He is bound to protect the interests of the Members whose questions are coming up. It is perfectly open to the members in whose name the questions are found in the list to say that they will not ask questions; without that stage being reached, to prevent in-limine, the entire working of the question hour is an unpardonable breach of the rules of the House and perhaps amounts to contempt of the House. In order to allow time for calm deliberation and deep pondering by the concerned members the Speaker has been trying to delay taking requisite action.

It comes with no good grace on the part of the persons who assert that available funds needed for many purposes in a State like Mysore are being "wasted" in the manner it is being done by the Treasury Bench in convening this meeting of the House. For the last two days the State has incurred expenses aggregating to large amounts. When emphasis was laid on the expenses per minute and condemned, causing of similar expenditure without any work being done for two days stands in a bold relief perhaps going against the bonafides of the contention. In other words it is to be seen by them whether they are not laying themselves open to the criticism and perhaps possible conclusion by the discerning public that they are committing the same mistake to a greater degree or in a graver measure.

It is not difficult to take action but parliamentary system of democracy carries with itself a certain amount of give and take and a certain amount of agreement with regard to the mode of carrying on business. Each party accommodates the other in this single field of arranging the business. Even after arranging the business in this fashion opposition will talk as virulently as necessary and the Government will hear it with patience and try to rebut or answer the criticism; that is why it has been said the majority rules and minority criticises and opposes and the majority carries the day in the House.

In the light of what has been taking place, it is to be seen whether the wishes of the House have to be ascertained in this behalf or not. If that is also opposed it amounts to tyranny of the minority over the majority. It can exist in a country where there is no democracy prevailing. It is a dictatorship of a few people in the minority. To that extent, the majority and the Presiding Officer of the House—are they to meekly submit? This position is not consistent either with the basic principles or with the statute or the conventions established till now in any country where democracy prevails. Is it that it only means the rules are not to be observed, because an opinion has been formed by some members and that opinion has to be concurred in by others? This state of affairs should not arise or cannot continue for long.

Some of the hon'ble members referred to the statement I made while expressing my gratitude on my election to the office of the Speakership and in particular adverted to the circumstances that the Speaker is the custodian of the rights and privileges of the House and that my intention will be to protect the rights and privileges of the minorities. It is nothing but a correct statement. From this it follows that the protection of the rights and privileges of the members whose work is being obstructed is entitled to recognition and consequential protection at my hands. No member or group of members have got the right to say that no work proposed or intended by any other member should ever be taken up or that stage cannot be reached unless some other things are done to their satisfaction. This is crystal clear.

If for any reason the work of the House is not transacted even to-day the responsibility will lie on those that are obstructing. How this situation is to be tackled is the only point for consideration.

FILLING UP OF A VACANCY IN THE PANEL OF CHAIRMEN—

Announcement.

Mr. SPEAKER.—I have one announcement to make. From among the members in the panel of Chairmen to preside over the House in the absence of the Speaker or the Deputy Speaker, one was Smt. Basavarajeswari. She has resigned. I have no right to compel her to